



**CITY OF SUNNYVALE
REPORT
Administrative Hearing**

July 12, 2006

SUBJECT: **2006-0588:** Application for a 6,500 square foot site located at **536 South Taaffe Street** (near W. Olive Ave.) in an R-0/HH (Low Density Residential/Heritage Housing) Zoning District.

Motion Variance from Sunnyvale Municipal Code section 19.46.060(4) to allow a one covered parking space where two covered spaces are required.

REPORT IN BRIEF

Existing Site Conditions Single-family home

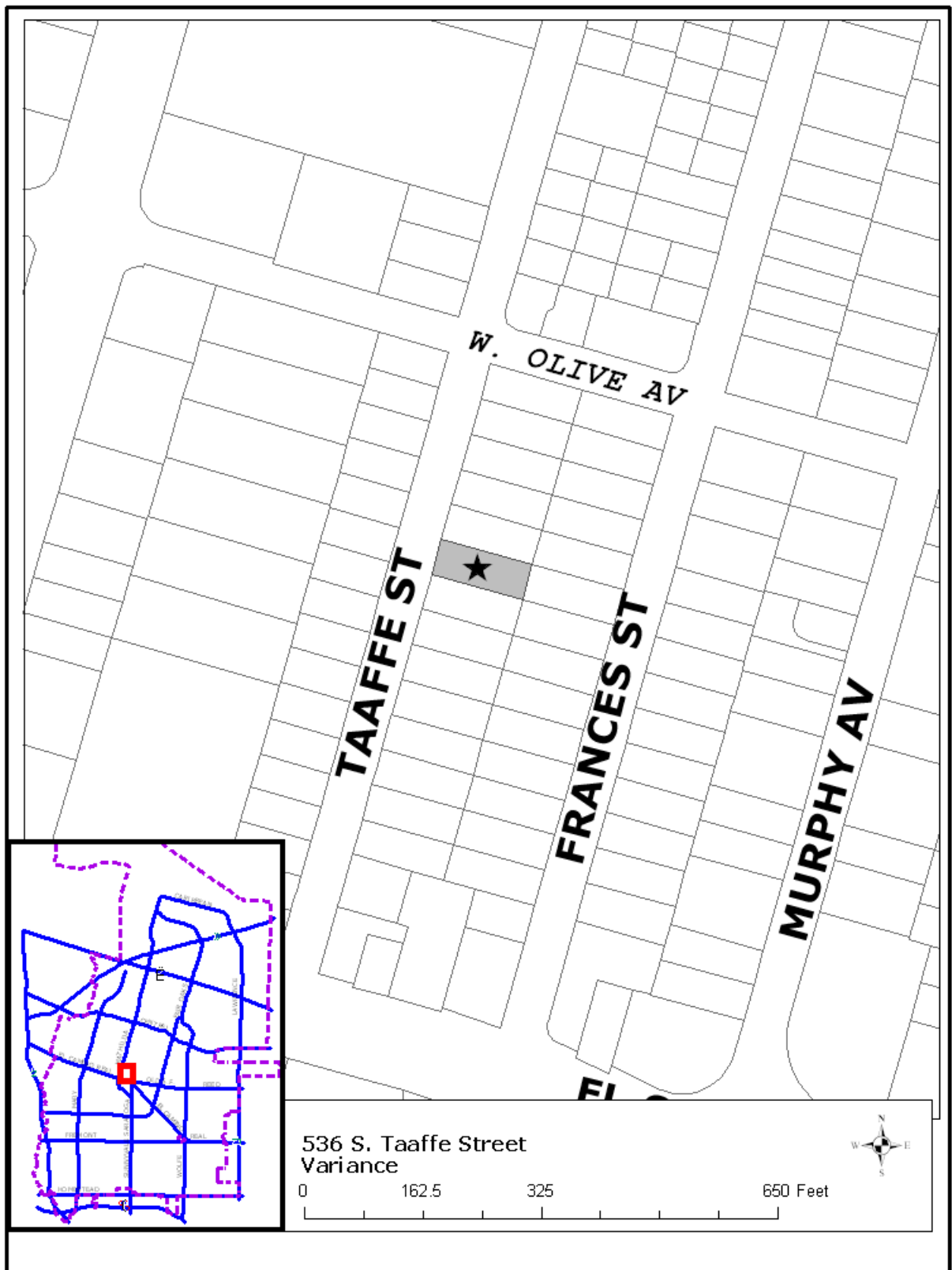
Surrounding Land Uses

North	Single-family residential
South	Single-family residential
East	Single-family residential
West	Single-family residential

Issues Two-car covered parking requirement.

Environmental Status A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Approval



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Low Density Residential	Same	N/A
Zoning District	R-0/HH	Same	N/A
Lot Size (s.f.)	6,500	Same	6000 min.
Gross Floor Area (s.f.)	1,963	2,639	2,925
Lot Coverage (%)	30%	40.6%	45% max.
No. of Units	1	Same	1 max.
No. of Buildings On-Site	1	Same	1
Building Height (ft.)	15'	New Garage = 12'	30' max.
No. of Stories	1	Same	2 max.
Setbacks (facing prop.)			
• Front (ft.)	20'	Same	20' min.
• Right Side (ft.)	5'	Same	4' min.
• Left Side (ft.)	5'	Same	8' min.
★ • Total Side Yard	10'	Same	12' min.
• Rear	42'	12'	10' min.
• Rear Yard Encroachment	0'	25%	25% max.
Parking			
★ • Total Covered Parking	1	Same	2 min.
• Total Uncovered Parking	1	Same	1 min.

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

ANALYSIS**Description of Proposed Project**

The applicant is proposing an addition of 677 square feet to an existing 1,963 square foot single-story residence. The addition is proposed in the rear yard area and is intended as garage space (non-habitable) only. The residence will total 2,639 square feet when completed. The proposed home, when completed, will have three bedrooms, family room, living room, kitchen, a one-car garage accessible to the street, and 677 square feet of garage area in the rear yard. As

part of this application, the applicant is proposing to remove the three sheds currently in the rear yard area.

As a result of the addition, the residence will exceed 1,800 square feet, triggering the Sunnyvale Municipal Code requirement for two covered parking spaces in certain residential zones. The applicant is applying for a Variance from this requirement since the existing home has only one covered parking space.

Background

Previous Actions on the Site: The following table summarizes previous planning applications related to the subject site.

File Number	Brief Description	Hearing/Decision	Date
1951-0239	New Single Family Home	Unknown/ Approved	410/26/19 51

Environmental Review

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 1 Categorical Exemption includes minor alterations to existing facilities.

Variance

Sunnyvale Municipal Code (SMC) §19.46.060 (4) requires that additions to homes that exceed 1,800 square feet of gross floor area, or have four or more bedrooms, provide two covered parking spaces. The proposed project exceeds 1,800 square feet while only having one covered parking space.

Site Layout: The subject site is a rectangular lot measuring 50 feet in width and 130 feet in depth. The home is centered on the existing lot with five-foot setbacks on both sides. This lot configuration is not typical for homes in the surrounding area, since most homes appear to have detached garages in the rear yard and associated 10 foot wide driveways. Although the lot width is sub-standard for R-0 zoning requirements (57 foot minimum width), most of the lots in the general vicinity are also between 50-55 feet in width; meaning the subject site is not irregular for the area.

The addition conforms to all setback and lot coverage standards for the R-0 Zoning District, except the total combined side yard setback of 12 feet minimum. The sub-standard side yard setbacks are legal non-conforming since the home was originally approved at this size in 1951. The side yards are not proposed to be modified as a result of this project.

Architecture: The existing single-story contemporary house has a low profile hipped roof with a stucco finish on the exterior walls. The windows, doors, and garage area are all detailed with wood trim. The applicant is proposing to retain a similar architectural styling with the exterior materials and roofline.

Landscaping: The site currently has lawn areas in the front and rear yards with one large tree in the front yard area. On a site visit, staff noted the park strip has been cemented over and there is no City street tree on-site. This absence of a street tree is particularly noticeable on S. Taaffe Street since the street is lined with a mature canopy of Magnolia trees. Staff is recommending a condition of approval that would require the applicant to remove the cement in the park strip and plant some type of acceptable ground cover (bushes, flowers, grass, etc.) Adjacent property owners are not allowed to cover the park strip by SMC §9.26.030(m):

(m) The placing of concrete, asphalt, tar paper or plastic membranes or other types of impervious materials in a parkway strip or tree easement in such close proximity to a city tree as to impede the movement of soil, air and water which are necessary to sustain growth and development of the city tree contrary to the provisions of Section 13.16.100(l).

In addition, SMC §19.38.070(2) requires the following:

(2) After landscaping is installed, it shall be maintained in a neat, clean and healthful condition.

Parking/Circulation: The home currently has a single car garage and one uncovered space in the driveway. Based on Building Permit records, it appears the home was originally constructed with the one-car garage in 1951. The proposed modifications require that two covered parking spaces be provided. Due to the width of the lot and the configuration of the home on the lot, there is not space available to add a two-car wide garage or detached garage in the rear yard without demolishing a significant portion of the living area of the existing home.

Heritage Resource Evaluation: The subject property is within the Francis/Taaffe Heritage Housing District. The residence is not specifically identified in the City's list of Heritage Resources but the 500 Block of North Taaffe Street is listed as a streetscape. The home is not likely to be considered a contributing structure to the district, given its relatively recent age and style of architecture.

Staff reviewed the proposed addition based Secretary of the Interior's Standards for Rehabilitation of historic structures. The following is the analysis:

1. "A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships."

Analysis: The use of this building and site do not change for this project.

2. "The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided."

Analysis: The proposed project is consistent with this standard. The area at the rear of the building had previously contained storage sheds and functioned as garages, so there is no loss of setting. The connection of the new garage to the existing building will impact only a minimum (15 feet) of the original siding at the rear wall, so no character-defining features will be affected.

3. "Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other historic properties, will not be undertaken."

Analysis: No changes are proposed that might be mistaken for original features since the garage addition will clearly be a subordinate addition to the original residence.

4. "Changes to the property that have acquired historical significance in their own right will be retained and preserved."

Analysis: No changes to the building have been identified as having acquired historic significance in their own right. Known modifications are recent (1975 family room and bedroom addition).

5. "Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved."

Analysis: The features, finishes, and construction techniques or examples of craftsmanship that characterize the property are preserved in this proposal.

6. "Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence."

Analysis: The project plans do not address the repair or replacement of deteriorated original features; the project proposed is solely an addition project.

7. "Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used."

Analysis: No chemical or physical treatments are proposed in this project.

8. "Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken."

Analysis: Archeological resources are not evaluated in this report.

9. "New additions, exterior alterations or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment."

Analysis: The proposed addition has a clearly different character than the original structure; it is smaller in size and massing, has lower roof height, and it is built to be non-habitable space. The proportions of the addition are visually subordinate to the main building; allowing the entire footprint of the original building to be perceived, including all four corners; the addition roof is lower, allowing the original roofline to remain prominent from all directions.

10. "New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired."

Analysis: The essential form and integrity of the residence would be maintained in this project; the addition as presented would be easily reversible.

Compliance with Development Standards/Guidelines: The proposed addition meets all the development standards except for the two-car covered parking requirements as previously discussed.

Expected Impact on the Surroundings: Staff finds the addition would not have a negative aesthetic impact on the neighborhood, due to its placement on the parcel. The addition will not be visible from the street therefore; there will not be a detrimental effect on the streetscape perspective. In the rear yard area, there are three existing sheds sitting near the rear property line which covering a majority of the required rear yard. These would be removed and the addition would be placed 12 feet from the rear property line.

Applicant's Justification: The applicant submitted a letter of justification (Attachment C) for the Variance request. The following is a summary of the letter:

1. *The existing historic home and site plan configuration makes this site a good case for a hardship consideration.*
2. *The new garage will not be visible from the street and will not have a detrimental effect on the neighborhood.*
3. *Other surrounding properties have sheds or garages in the rear yard area therefore, the proposed addition will not grant a special privilege not already enjoyed by other property owners.*

Conclusion

Discussion: Staff believes there are two unique circumstances that apply to this property. The first: the property is substandard in lot width at 50 feet where 57 feet is the minimum width for R-0 properties. The existing home is 40 feet wide, which is a typical width, allowing for only minimal side yard setback and precluding a possible driveway to the rear yard for a detached two-car garage. The second circumstance: the existing configuration of the home would require demolition of a significant portion of the living area of the existing home. Specifically, expanding the garage 10 feet out would remove the family room and front entrance of the house, leaving a two-car garage and a bedroom as the front of the home facing the street. Therefore staff finds that there is a physical hardship associated with this site and is able to support a Variance from SMC parking requirements.

Findings and General Plan Goals: In order to grant the Variance, all three findings must be made (See Attachment A, Recommended Findings).

Staff is able to make the required Findings based on the justifications for the Variance and recommends approval with the Conditions of Approval in Attachment B.

Recommended Conditions of Approval: Recommended Conditions of Approval are located in Attachment B.

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none">Published in the <i>Sun</i> newspaperPosted on the site12 notices mailed to adjacent property owners and residents of the project site	<ul style="list-style-type: none">Posted on the City of Sunnyvale's WebsiteProvided at the Reference Section of the City of Sunnyvale's Public Library	<ul style="list-style-type: none">Posted on the City's official notice bulletin boardCity of Sunnyvale's Website

Alternatives

1. Approve the Variance with the attached Conditions of Approval.
2. Approve the Variance with modified Condition of Approval.
3. Deny Variance.

Recommendation

Alternative 1.

Prepared by:

Steve Lynch
Project Planner

Reviewed by:

Diana O'Dell
Senior Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Applicant's Variance Justifications
- D. Site and Architectural Plans

Recommended Findings - Variance

1. Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surroundings, the strict application of the ordinance is found to deprive the property owner or privileges enjoyed by other properties in the vicinity and within the same zoning district.

Staff finds that this property/use has exceptional or extraordinary circumstances based on the following:

- The property is substandard in lot width at 50 feet where 57 feet is the minimum width for R-0 properties.
 - The existing home is 40 feet wide, which is a typical width, allowing for only minimal side yard setback and precluding a possible driveway to the rear yard for a detached two-car garage.
 - The existing configuration of the home would require demolition of a significant portion of the living area of the existing home. Specifically, expanding the garage 10 feet out would remove the family room and front entrance of the house, leaving a two-car garage and a bedroom as the front of the home facing the street.
2. The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district.

Staff finds the addition would not have a negative aesthetic impact on the neighborhood, due to its placement on the parcel. The addition will not be visible from the street therefore; there will not be a detrimental effect on the streetscape perspective. In the rear yard area, there are three existing sheds sitting near the rear property line which covering a majority of the required rear yard. These would be removed and the addition would be placed 12 feet from the rear property line.

3. Upon granting of the Variance, the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district.

Staff finds that the granting of a Variance would not constitute a special privilege since other similar property owners do not have the same physical constraints as a result of the property size, existing setbacks, and configuration of the residence.

Recommended Conditions of Approval - Variance

In addition to complying with all applicable City, County, State, and Federal Statutes, Codes, Ordinances and Resolutions, the Permittee expressly accepts and agrees to comply with the following Variance Modifications.

1. Obtain a Building Permit for the project.
2. The Variance shall expire if the use is discontinued for a period of one year or more.
3. The Variance shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.
4. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development; major changes may be approved at a public hearing.
5. The Conditions of Approval shall be reproduced on the cover page of the plans submitted for a Building Permit for this project.
6. The applicant shall remove all the cement in the City's park strip and plant some type of acceptable ground cover (bushes, flowers, grass, etc.). This shall be completed prior to Building Permit issuance.
7. City forces shall install one City street tree in the park strip area prior to Certificate of Occupancy by the Building Division.
8. All existing sheds in the rear yard area shall be removed prior to Building Permit issuance.
9. A deed restriction shall be recorded with Santa Clara County stating that the garage area shall not be used as an independent living unit.

SUNNYVALE

California

VARIANCE JUSTIFICATIONS

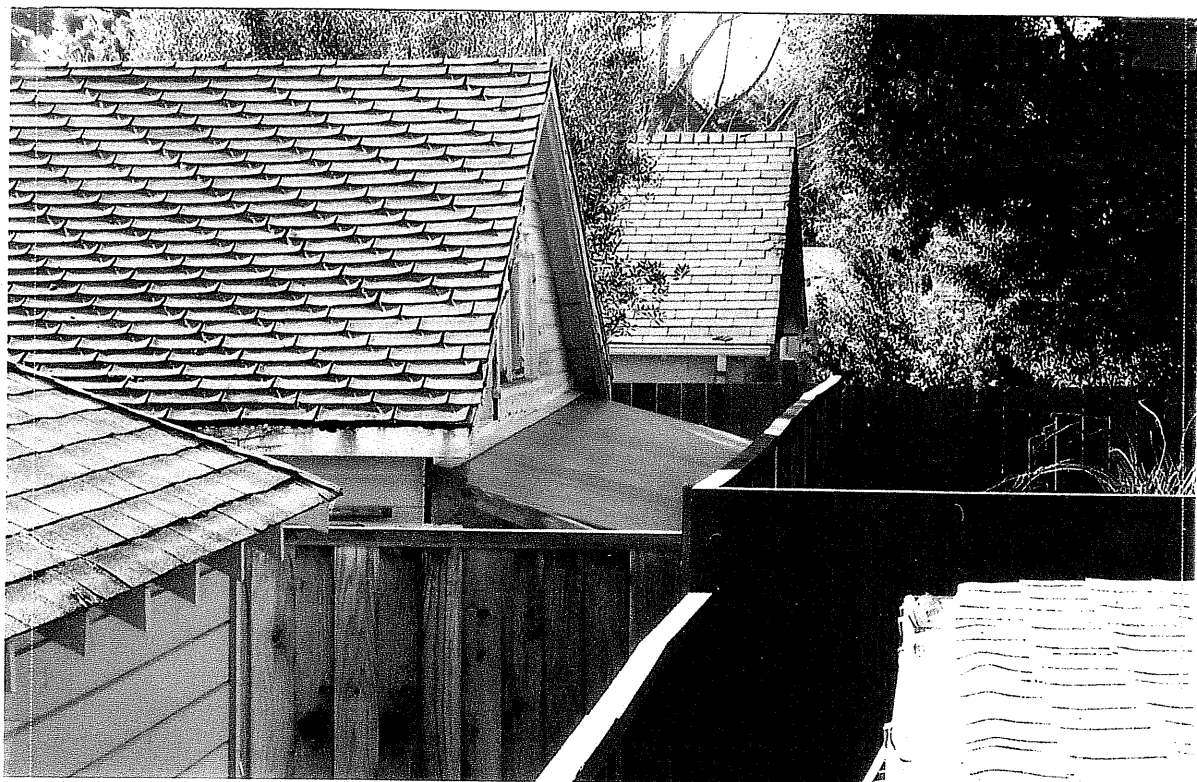
Justifications must be submitted by the applicant with all Variance applications. Use this sheet or a separate sheet of paper to complete all of the three statements below.

In granting a Variance, all of the following justifications must be made by the Planning Commission or the Administrative Hearing Officer:

19.84.050. Findings.

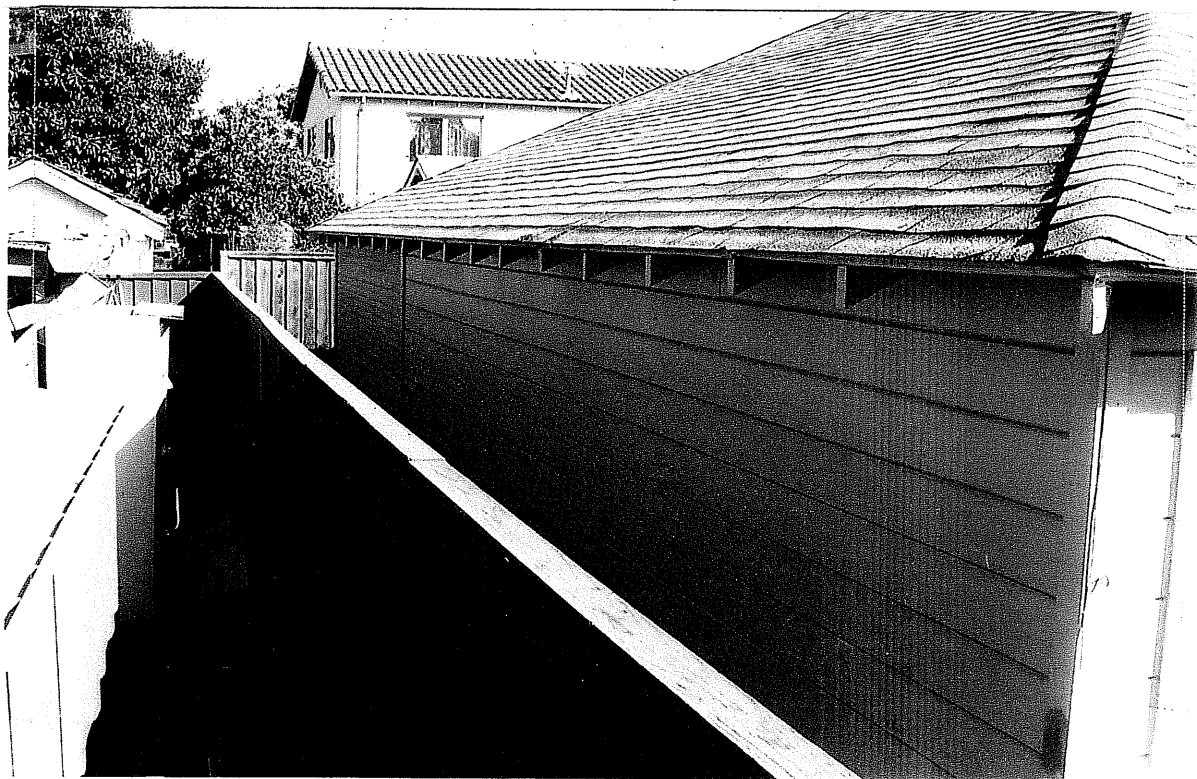
(a) A Variance from the requirements of this title, except for the height of a ground sign, shall be approved only upon a showing by the applicant that:

1. Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surroundings, the strict application of the ordinance is found to deprive the property owner of privileges enjoyed by other properties in the vicinity and within the same zoning district. *DU TO THE RESTRICTIVE LIMITATIONS ON THIS HISTORIC RESIDENCE WE REQUEST THE ALLOWANCE TO DEVELOP A GARAGE IN THE BACK YARD. THE FRONT OF THE HOUSE IS TO REMAIN UNCHANGED. THE PROPOSED GARAGE IS FOR MOTORCYCLES ONLY. LOT SIZE AND ZONING RESTRICTIONS ELIMINATE THE POSSIBILITY OF DEVELOPING THE FRONT. THE EXISTING SINGLE CAR GARAGE IS NOT ADEQUATE FOR THE OWNER'S COLLECTION OF MOTORCYCLES WE REQUEST HARDSHIP CONSIDERATIONS.*
2. The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district. *THE NEW GARAGE WILL NOT HAVE A DETRIMENTAL IMPACT ON THE PUBLIC WELFARE OF THE IMMEDIATE VICINITY. IT WILL BE OUT OF VIEW AND IT WILL NOT GENERATE ANYMORE USAGE THAN ALREADY EXISTS.*
3. Upon granting of the Variance the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district. *EVERY ADJOINING HOUSE IN THE REAR HAS GARAGE STRUCTURES WITHIN 5'0" OF THE REAR PROPERTY LINE (REFER TO ATTACHED PHOTOS). OUR PROPOSED GARAGE WILL HAVE A 12'0" SETBACK. THIS VARIANCE WILL NOT GRANT SPECIAL PRIVILEGES THAT OTHER SURROUNDING PROPERTIES DON'T ENJOY*



PROJECT'S
REAR PROPERTY
LINE

536 S.
TAPPE



PROPERTY
LINE

536 S. TAPPE

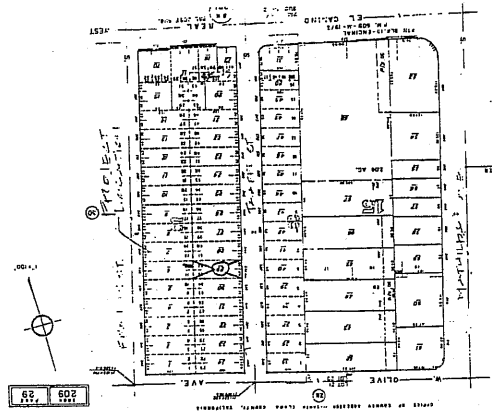
OWNERS: PAUL AND COLLEEN LADD
ADDRESS: 536 TAAFFEST., SUNNYVALE, CA.
PHONE: (408) 735-9248
APN: 209-29-029
PARCEL AREA: 6500 SQ.FT.

TOTAL BUILDING FLOOR AREA:	EXISTING	NEW	COMBINED
MAIN FLOOR	1674SQ.FT.	0SQ.FT.	1674SQ.FT
GARAGE AREA	288SQ.FT.	677SQ.FT	965 SQ.FT
LOT COVERAGE	30%	34%	

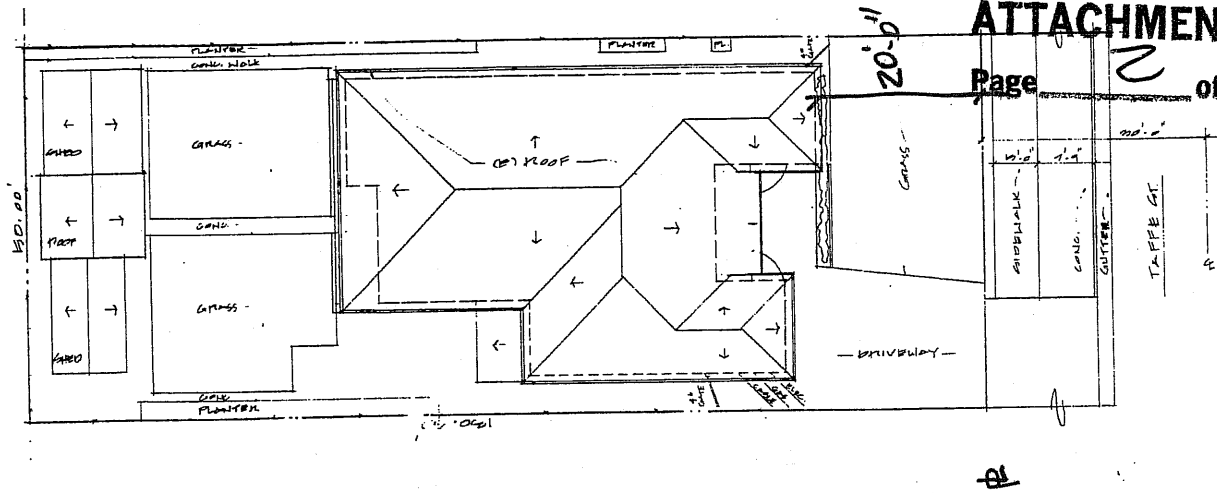
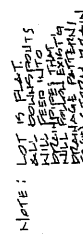
PROPOSED PROJECT: THE ADDITION OF A 677 SQ.FT. GARAGESHOP WITH A HALF BATHROOM TO AN EXISTING 3 BEDROOM, 1RATHROOM SINGLE FAMILY RESIDENCE.. THE ADDITION WILL BE IN THE REAR YARD.
IT HAS BEEN DETERMINED THAT THIS PROJECT WILL NEED A VARIANCE. SEE ATTACHED FORMS.

1. SITE PLAN, GENERAL INFORMATION

2. FLOOR PLAN
3. NORTH AND EAST ELEVATIONS
4. SOUTH AND WEST ELEVATIONS



MAY 10 1968



ATTACHMENT
Page 2 of 2

277-15

PROPOSED SITE PLAN

ADDITION PLANS FOR:
PAUL AND COLLEEN LADD
536 S. TAFFE ST.
SUNNYVALE, CA.

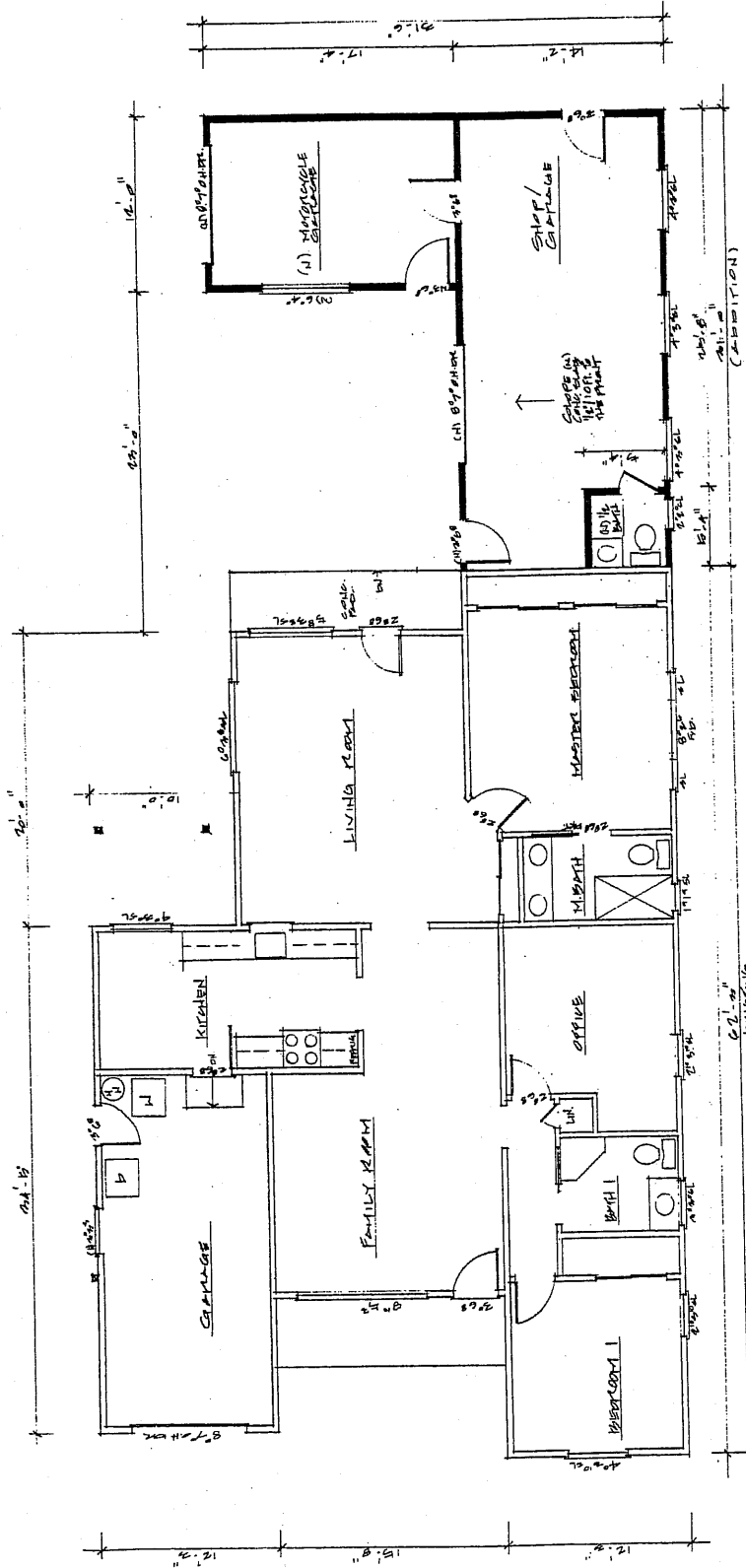
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ATTACHMENT

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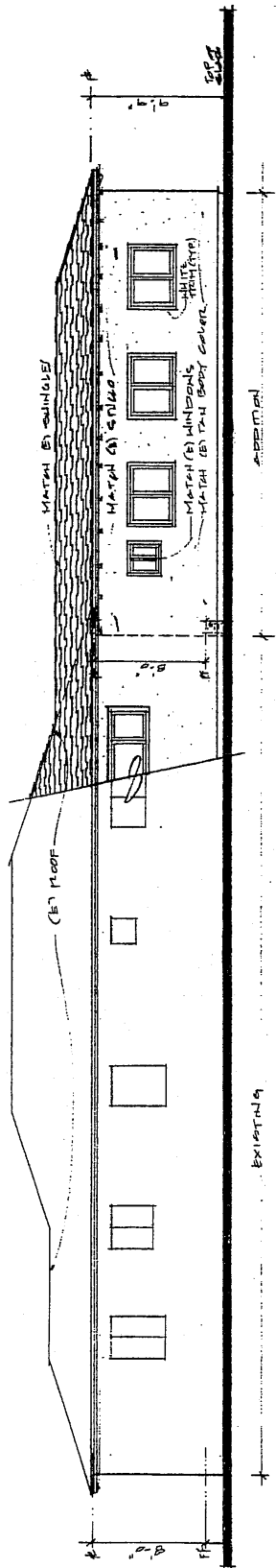
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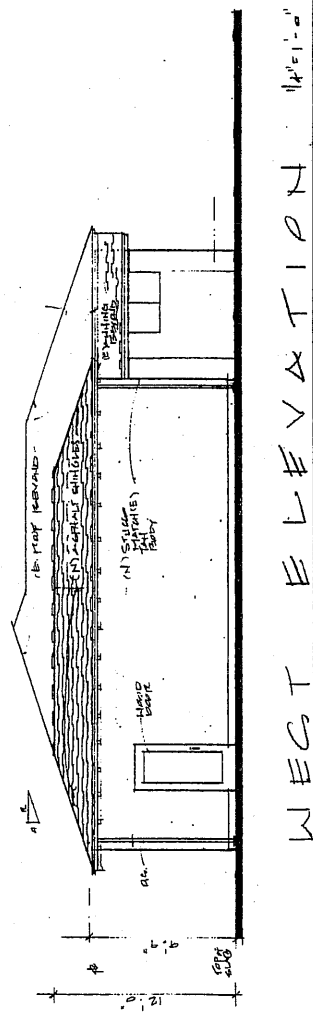
ADDITION PLANS FOR:
PAUL AND COLLEEN LADD
536 S. TAFFEE ST.
SUNNYVALE, CA.

DRAWN BY: SCOTT MACLELLAN
SOOT
CA
TEL: (415) 475-8207

REVISION	DATE	BY



SOUTH ELEVATION



WEST ELEVATION